

6

UNITED STATES OF AMERICA
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case: 2:16-cr-20059

Judge: Lawson, David M.

MJ: Stafford, Elizabeth A.

Filed: 01-26-2016 At 03:26 PM

INDI USA V STACY L. MCCRAY, JR (LG)

-vs-

Violations: 18 U.S.C. § 1029(a)(1)

18 U.S.C. § 1028A

18 U.S.C. § 641

D-1 STACY L. McCRAY, JR.

Defendant.

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(18 U.S.C. § 1029(a)(1) - *USE OF COUNTERFEIT ACCESS
DEVICE*)

D-1 STACY L. McCRAY, JR.

Between January 2010 and continuing through to November 2014,
in the Eastern District of Michigan, Southern Division, and elsewhere,
defendant, **STACY L. McCRAY, JR.**, knowingly and with intent to
defraud, used, and aided and abetted the use of, counterfeit, fictitious,

altered, or forged access devices, said use affecting interstate commerce, all in violation of 18 U.S.C. § 1029(a)(1) and (c)(1)(A)(i).

COUNT TWO

(18 U.S.C. § 1028A - *AGGRAVATED IDENTITY THEFT*)

D-1 STACY L. McCRAY, JR.

Between January 2010 and continuing through to November 2014, in the Eastern District of Michigan, Southern Division, and elsewhere, defendant, **STACY L. McCRAY, JR.**, did knowingly use, without lawful authority, a means of identification of another person during and in relation to Title 18 of the United States Code, Section 641(a)(1), all in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT THREE

(18 U.S.C. § 641 - *THEFT OF GOVERNMENT MONEY*)

D-1 STACY L. McCRAY, JR.

Between January 2010 and continuing through to November 2014, in the Eastern District of Michigan, Southern Division, and elsewhere, defendant, **STACY L. McCRAY, JR.**, willfully and knowingly did steal and purloin United States money, to wit: the defendant did fraudulently

file, and did illegally receive federal unemployment insurance benefits, in excess of \$1,000.00, of the goods and property of the United States, in violation of 18 United States Code, Section 641.

FORFEITURE ALLEGATIONS

(18 U.S.C. § 981, 28 U.S.C. § 2461, 18 U.S.C. § 982(a)(8), 18 U.S.C. § 1029 (c) - CRIMINAL FORFEITURE)

1. The allegations contained in this Indictment above are incorporated by reference as if set forth fully herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(8) and 1029(c), and 28, United States Code, Section 2461.

2. Upon being convicted of violating Title 18, United States Code, Section 1029, as alleged above, defendants shall forfeit to the United States (1) any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, 18 U.S.C. § 982(a)(2)(B), and (2) any personal property used or intended to be used to commit the violation, pursuant to 18 U.S.C. § 1029(c)(1)(C).

3. Upon being convicted of violating Title 18, United States Code, Section 641, as alleged above, defendants shall forfeit to the United States any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461

4. Money Judgment: A sum of money equal to the amount as is proved at trial in this matter, representing the total amount obtained as a result of such violations and the amount involved in the offenses, for which defendants shall be jointly and severally liable.

6. Substitute Assets: If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or
- (e) Has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek to forfeit any other property of defendants up to the value of the forfeitable property described above.

THIS IS A TRUE BILL

s/Grand Jury Foreperson

Grand Jury Foreperson

DATE:

BARBARA L. MCQUADE
United States Attorney

s/Matthew Roth
MATTHEW ROTH
Assistant U.S. Attorney
Unit Chief, General Crimes Unit

s/C. Barrington Wilkins
C. BARRINGTON WILKINS
Assistant U.S. Attorney
211 W. Fort Street, Suite #2001
Detroit, MI 48226
barrington.wilkins@usdoj.gov

DATE: 26 JANUARY 2016

United States District Court
Eastern District of Michigan

Criminal Case (

Case: 2:16-cr-20059
Judge: Lawson, David M.
MJ: Stafford, Elizabeth A.
Filed: 01-26-2016 At 03:26 PM
INDI USA V STACY L. MCCRAY, JR (LG)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Number:

This may be a companion case based upon LCrR 57.10 (b)(4)¹:

Judge Assigned:

☐ Yes

☒ No

AUSA's Initials: CBW

Case Title: USA v. D-1 STACY L. McCRAY, JR.

County where offense occurred : WAYNE

Check One:

☒ Felony

☐ Misdemeanor

☐ Petty

___ Indictment/___ Information --- no prior complaint.

XX Indictment/___ Information --- based upon prior complaint [Case number: 14-30575]

___ Indictment/___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below]

Superseding Case Information

Superseding to Case No:

Judge:

- ☐ Original case was terminated; no additional charges or defendants.
- ☐ Corrects errors; no additional charges or defendants.
- ☐ Involves, for plea purposes, different charges or adds counts.
- ☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

January 26, 2016

Date

C. BARRINGTON WILKINS

Assistant United States Attorney

211 W. Fort Street, Suite 2001

Detroit, MI 48226-3277

Phone: (313) 226-9621

Fax: (313) 226-2372

E-Mail address: Barrington.wilkins@usdoj.gov